

Final Conditions of Approval – Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances and Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval.

Planning Department:

1. The Use Permit for the use shall expire if the use is discontinued for a period of one year or more.
2. This Use Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
3. The conditions of approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
4. Hours of operation shall be limited to the following hours:
Monday through Friday 7:00 a.m. to 6:00 p.m.
5. Intermittent special events permitted during evening hours and on weekends are permitted.
6. The maximum number of students at any one time shall not exceed 440.
7. The existing landscaping on the site shall be maintained and made to be visually enhancing to the site.
8. The turn-out on Pastoria Avenue shall not be used for loading and unloading operations.

Building Department:

9. Obtain Building Permits prior to any construction for the proposed work at the site.
10. The conditions of approval shall be reproduced on a page of the plans submitted for a Building permit for this project.

Fire Department:

11. All illuminated exit signs need to be operational.
12. All emergency lighting equipment needs to be operational.

Mitigation Measures:

13. In addition to complying with applicable City Codes, Ordinances, and Resolutions, the following mitigation measures are incorporated into the project to minimize the identified potential environmental impacts. All mitigations are to be completed by the developer prior to occupancy.
 - a) The applicant shall provide a Transportation Demand Management Program that limits loading and unloading of students to no more than 80 students per 15 minute period in the Pastoria Avenue parking lot, and no more than 75 students per 15 minute period in the McKinley Avenue parking lot, and prevents school traffic from queuing on City public streets adjacent to or at the entrances to the project parking lots.

- b) In the event that school traffic is witnessed to be queuing onto City public streets adjacent to or at the entrances to the project parking lots in a chronic fashion, as determined by the City Transportation Manager, the operator of the proposed use shall be required to submit to the Director of Community Development and the Transportation and Traffic Manager detailed information on the operation of loading and unloading, including an explanation of administration and management of TDM on the site, determination of trip generation and trip distribution through detailed traffic counts, queuing surveys over the entire loading and unloading periods, and data on average loading/unloading time per child. The operator shall also submit proposed measures to relieve queuing on City streets through increased TDM. The Director of Community Development and the Transportation and Traffic Manager may then approve more stringent TDM measures, or require modification/reduction of allowable enrollment.
 - c) Provide Class I bicycle parking spaces as defined by the Santa Clara Valley Transportation Authority Bicycle Technical Guidelines in the ratio of one space per 30 employees.
- 14. The applicant will work with the landlord (Sunnyvale School District) to provide access for dropping off students from Iowa Ave through the Iowa Ave parking lot.
 - 15. Stratford School shall provide a dedicated person for residents to contact regarding traffic problems.
 - 16. Staff shall report back to Council by the end of **July 2005** on any community problems and the amount of enrollment for the first year (2004).
 - 17. City staff shall dedicate a contact person to review any complaints from residents and track findings on a quarterly basis and report back to Council by the end of July 2005.

Transportation Impact Fee

- 18. This project is subject TIF, to be determined by the City's Transportation Division.